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Message Text

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73
ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 CG-00 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 AID-20 CEQ-02 COA-02 COME-00 EB-11

EPA-04 IO-14 NSF-04 SCI-06 FEA-02 ACDA-19 AEC-11

AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01 CEA-02

CIEP-03 TRSE-00 DRC-01 /233 W
---------- 090062
R 282114Z AUG 74
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 5606
INFO USUN NEW YORK 806
AMEMBASSY LIMA
AMEMBASSY MEXICO CITY
AMEMBASSY QUITO
AMEMBASSY SANTIAGO

C O N F I D E N T I A L CARACAS 8417

FROM USDEL LOS

E.O. 11652: GDS
TAGS: PLOS
SUBJ: LOS: TALKS WITH PERUVIAN LOS REPS ON TUNA-AUGUST 19.

1. AT REQUEST OF U.S., REPRESENTATIVES OF THE TWO DELEGATIONS MET TO DISCUSS U.S. PROPOSED DRAFT ARTICLES ON THE ECONOMIC ZONE (L-47) AND AREAS OF POSSIBLE ACCOMODATION, PARTICULARLY AS PERTAINS TO HIGHLY MIGRATORY SPECIES. PRESENT WERE JOHN R STEVENSON, HAD OF DELEGATION, JOHN N MOORE U.S. REPRESENTATIVE: DONALD MCKERNAN CONSULTANT. DEPARTMENT OF STATE. M.D. BUSBY, DEPARTMENT OF STATE: VIRGIL RANDOLPH, EMBASSY CARACAS: AMBASSADOR MIGUEL BAKULA, HEAD OF PERUVIAN DELEGATION: AMBASSADOR ALFONSO ARIAS-SCHREIBER PERUVIAN FOREIGN MINISTRY, AND ANDRES A ARAMBURU MENCHACA, ADVISOR
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TO PERUVIAN DELEGATION.

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2. THE U.S. SIDE INDICATED THAT WE WISHED TO DISCUSS WITH THE PERUVIANS THEIR VIEWS ON L.47, THE POSSIBLE USEFULNESS OF FURTHER BILATERAL DISCUSSIONS, AND TO EXPLORE VARIOUS ASPECTS OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION (IATTC).

3. PERU COMMENTED THAT THEIR FIRST REACTION TO L.47 WAS A POSITIVE ONE. THEY WERE VERY APPRECIATIVE OF OUR PREVIOUS CONVERSATIONS (REPORTED SEPTEL) AS WELL AS THE POSITIONS SET FORTH IN L.47. THEY INDICATED THEY HAD TRANSMITTED INFORMATION ON BOTH OF THESE SUBJECTS TO LIMA BUT DID NOT HAVE ANY DEFINITIVE VIEWS TO PRESENT AT THIS TIME.

THEY INDICATED THAT GOP WAS IN THE PROCESS OF STUDYING THESE DOCU-MENTS. PERUVIAN REPS WENT ON TO SAY THAT IT MIGHT BE USEFUL FOR THE U.S. AND PERU TO MEET DURING THE UPCOMING GA SESSION IN NEW YORK AND THAT GOP IS GIVING MORE AND MORE ATTENTION TO THE POSSIBILITY OF USING BILATERAL AGREEMENTS AND JOINT VENTURES TO SOLVE THEIR FISHERY PROBLEMS. THEY FEEL THIS IS AN EXCELLENT APPROACH AND MIGHT PROVIDE THE EASIEST METHOD FOR RESOLVING THEIR OUTSTANDING ROBLEMS. THEY MADE CLEAR THAT THIS POSITION ARISES FROM THEIR VIEW THAT THEY HAVE SOVEREIGNTY OVER THE AREA, NOT JUST AREA RESOURCES.

4. THE U.S. GAVE A BRIED SUMMATION OF POSSIBLE ALLOCATION PRIN-CIPLES REGARDING ARTICLE 19.C.1 OF L.47 AS WELL AS SOME POSSIBLE FEE STRUCTURES, AND ASKED IF THE SOVEREIGNTY QUESTION WERE SET ASIDE WHETHER THE GOP MIGHT SEE THEIR WAY CLEAR TO ENTER THE IATTC, STATING THAT WE WERE IN REALITY VERY CLOSE TOGETHER ON FISHERIES MANAGMENT PRINCIPLES. THE GOP REPS IMPLIED THAT THIS MIGHT BE POSSIBLE BUT THEY WERE NOT AUTHORIZED MAKE ANY COMMITMENT IN THIS REGARD. THEY THEN ADDRESSED THE SOVEREIGNTY QUESTION POINTING OUT THAT THIS WAS A POSITION WHICH HAD BEEN HELD BY THE GOP FOR ALMOST 30 YEARS AND THAT WE SHOULD UNDERSTAND THAT IT WOULD BE IMPOSSIBLE TO RETREAT FROM IT. THEY THEN STATED THAT WE SHOULD NOT EXPECT THAT THE PRESENT OR ANY SUBSEQUENT GOVERNMENT OF PERU WOULD GIVE UP THEIR STATED POSITION ON THIS ISSUE.

5. IN DISCUSSING THE SOVEREIGNTY QUESTION FURTHER, PERU STATED THAT THEYWOULD BE WILLING TO ACCEPT INTERNATIONAL OBLIGATIONS CALLING FOR ABSOLUTE FREEDOM OF NAVIGATION IN THEIR NATIONAL SEA, AND IF THEY WERE GRANTED SOVEREIGNTY OVER THE AREA, THEY COULD ALSO CONFIDENTIAL

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ACCEPT SOME RESTRICTIVE LANGUAGE WHICH WOULD STATE THAT SUCH SOVEREIGNTY WAS QTE FOR THE PURPOSE OF RESOURCE EX-PLOITATION. UNQTE THEY INDICATED QUITE STRONGLY, HOWEVER, THAT SOVEREIGNTY MUST APPLY TO THE AREA ITSELF AND NOT TO THE RESOURCES. IN RESPONSE TO A QUESTION, THE GOP REPS STATED THAT ALTHOUGH SOVEREIGNTY AS THEY DEFINED IT WOULD CERTAINLY INCLUDE RELATED INTERESTS--SUCH AS MARINE SCIENTIFIC RESEARCH, POLLUTION, OR SEABEDS--THEY COULD

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POSSIBLY ACCEPT OBLIGATIONS IN THISREGARD ONCE THEIR
SOVEREIGNTY OVER THE AREA WAS RECOGNIZED.

6. I STRONGLY RECOMMEND THAT URGENT CONSIDERATION BE
GIVEN TO BASIS ON WHICH PERU AND ECUADOR COULD BE BROUGHT
INTO IATTC NEXT YEAR. CONSIDERATION OF PRACTICAL WAYS OF
RESOLVING TUNA MANAGEMENT AND ALLOCATION PROBLEMS WITHIN
REGIONAL COMMISSION SHOULD FACILITATE RESOLUTION OF
DIFFICULT SOVEREIGNTY ISSUES IN LOS NEGOTIATIONS.
STEVENSON

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